IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	Confirmation No.: 7906
Ralph F. Kalies	Date: April 4, 2011
Serial No.: 10/681,954	Group Art Unit: 3626
Filed: October 8, 2003	Examiner: Reginald R. Reyes
For: METHOD FOR STORING AND REPORTING PHARMACY DATA	

VIA EFS-WEB
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

    This Reply Brief is submitted in response to the arguments presented by the Examiner in the Answer dated February 14, 2011.

A.   In the Answer, the Examiner maintains that the combination of Donoho and Schoenberg suggests the first and second access security checks recited in the claims. Applicant continues to disagree with the Examiner. The Examiner points to Schoenberg column 5, lines 66-67 and column 6, lines 1-13. The Examiner continues to ignore that Schoenberg describes first and second access security checks i.e., steps 216 and 219, which enable the requester, who is the patient, to retrieve information stored in the system about the requester, i.e., about the patient. The first access security check referred to by the Examiner, step 216, is simply identification of the patient. The second access security check is an access security code that was previously input by that patient. If this code is provided correctly, then, the information is released to the patient.

    In contrast, the present invention relates to a transfer of information from a pharmacy to a processing center that processes the information from the pharmacies. The first and second

access securities referred to in the claims are not the same as the first and second access securities of Schoenberg. According to the present invention, in contrast to Schoenberg, who describes providing data to a requester patient, the present invention recites first and second access securities to verify that the <u>transferor</u> is entitled to make the transfer of data into the system. Schoenberg instead relates to verifying that the <u>transferee</u> of the information is entitled to receive the data. The present invention is intended to insure confidence in the data that is stored in the system. Schoenberg does not teach or suggest this. Schoenberg relates to providing access securities which are chosen by the patient (see column 6, lines 29-30) to ensure that the patient can later obtain access to the data that has been previously stored. In contrast, the present invention provides first and second access securities to insure confidence in the data that is stored in the system.

The first access security determines if the transferor of the pharmacy data has the proper credentials to submit the data to the processing center.

The second access security determines whether the pharmacy data that is being transferred into the processing center meets at least one predetermined validity requirement defined by the processing center before it is stored. Schoenberg does not teach or suggest this. Even when combined with Donoho there is no teaching or suggestion of the first and second access securities as claimed.

B.   The Examiner argues that Donoho describes or suggests the transfer of data from a pharmacy into a processing center computer. He points to column 42, lines 19-21 where Donoho describes file transfers from another machine, i.e., receiving an advisory by a file transfer from another machine. The Examiner quotes Donoho at column 42, lines 15-21. The Examiner says that the downloading of an advisory file from one machine to another is a transfer for the machine downloading the file. The Examiner concludes it would have been obvious to combine Donoho's teachings with those of Schoenberg and Mehring.

Donoho's discussion that data can be transferred from one machine to another machine, by itself, says nothing about the claimed steps including providing the first and second access securities. Even when combined with Schoenberg and Mehring, there is nothing to suggest providing the first and second access securities as claimed wherein the first access security

determines the transferor's credentials and the second access security determines the validity of the data being transferred by the transferor into the processing center. Donoho adds nothing to the Schoenberg disclosure. Donoho says that files can be transferred. Schoenberg says that when a requester makes a request for information that is stored at a remote location, he has to enter user information to identify himself and an access security code to enable the remote device to transfer the information to him. This still does not suggest the system of the invention wherein it is the transferor's credentials and the data being transferred by the transferor that are checked by first and second access securities to provide the transferee system with the necessary confidence in the transferor and in the data being transferred to the system for subsequent processing and access. Donoho and Schoenberg taken with Mehring simply do not suggest the invention.

C.   The Examiner argues that the combination of references teaches the receiving of a " 'data transfer request to transfer' respective electronic pharmacy data from at least one of the plurality of pharmacies". (Claim 1.) The Examiner points to Schoenberg's teachings relating to generating a plurality of security access codes (which are generated by the patient) so that the patient can later retrieve data stored in the system. Again, the Examiner is confusing checking the credentials of the transferee with checking the credentials of the transferor.
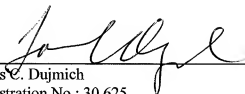
The present invention checks the credentials and the data of the <u>transferor</u> before storing that data. All that Schoenberg teaches is that for a patient to receive data from the system, each patient must provide its user information and the security access code that the patient previously generated. See column 6, lines 29-30 of Schoenberg. See step 202 of Schoenberg. According to Schoenberg, therefore, in order for the patient to be able to receive information from the system, the patient must provide its user information and access codes to be able to get that information. Nothing is suggested in Schoenberg about providing first and second access securities to enable a pharmacy to transfer its information into the processing center by verifying that the pharmacy has the proper credentials for transfer and that the second security is met in that the data meets at least one predefined validity requirement defined by the processing center. There is simply no teaching or suggestion of the first and second access securities as claimed.

For the above reasons, applicant submits that the Examiner's rejection of the claims should be reversed and this application should be passed to issuance.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
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LCD/fs

Respectfully submitted,

Louis C. Dujmich
Registration No.: 30,625
OSTROLENK FABER LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700